

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: April 26, 2007 Name: John Murray

Signature:

**BRINKS  
HOFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Miles B. Brennan et al.

Appln. No.: 10/764,712

Examiner: Jon E. Angell

Filed: January 23, 2004

Art Unit: 1635

For: Method for Treatment of Insulin Resistance  
in Obesity and Diabetes

Attorney Docket No: 11320/33

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- Response to Notice of Non-Compliant Amendment  
 Return Receipt Postcard

**Fee calculation:**

- No additional fee is required.  
 Small Entity.  
 An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
 A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_\_).  
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		or	Not a Small Entity	
					Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

**Fee payment:**

- A check in the amount of \$\_\_\_\_\_ is enclosed.  
 Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
 Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

John Murray (Reg. No. 44,251)

Date

Apr 26, 2007

BRINKS HOFER GILSON & LIONE  
NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599



I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

COMMISSIONER FOR PATENTS  
P.O. BOX 1450 ALEXANDRIA, VA 22313-  
1450  
on APRIL 26, 2007

Date of Deposit

John Murray

Name of applicant, assignee or  
Registered Representative

John Murray

Signature

APRIL 26, 2007

Date of Signature

Case No. 11320/33

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Miles B. Brennan et al.

Serial No: 10/764,712

Examiner: Angell, Jon E.

Filed: January 23, 2004

Group Art Unit: 1635

For: Method for Treatment of Insulin  
Resistance in Obesity and Diabetes

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment, dated April 18, 2007, Applicants hereby request entry of the following amendments and remarks to put the claims in condition to be allowed. This paper is believed to be timely filed.

**Amendments to the Claims begin on page 3 of this paper.**

**Remarks/ Arguments begin on page 6 of this paper.**